

28 SEP 2007

United States Patent and Trademark Office



Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

THELEN REID BROWN

RAYSMAN & STEINER L.L.P
P.O. BOX 640640
SAN JOSE CA 95164-0640

In re Application of :
Grant et al. :
Application No.: 10/538,160 :
PCT No.: PCT/US03/38899 :
Int. Filing Date: 08 December 2003 :
Priority Date: 08 December 2002 :
Attorney Docket No.:IMMR-0152A (034701-000510) :
For: Methods And Systems For Providing Haptic
Messaging To Handheld Communication Devices :
:

DECISION

This is in response to the renewed submission under 37 CFR 1.497(d) filed on 06 August 2007.

DISCUSSION

In a Decision mailed on 02 April 2007, the declaration of the inventors filed on 27 June 2006 was not accepted under 37 CFR 1.497(d), without prejudice, because

In response, counsel has identified the Reel and Frame numbers where the assignment has been recorded in the records of the USPTO. Counsel's attention is directed to MPEP 324, which states in part that...

In the instant case, the submission establishing ownership has not been "signed by a party who is authorized to act on behalf of the assignee" in that the reference to the Reel/Frame numbers has not been signed by an individual whose authority to sign on behalf of assignee has been established. As further explained at MPEP 324,...

Therefore, the assignee's ownership has not yet been adequately established under 37 CFR 3.73(b). As such, it would not be appropriate to grant the requested relief at this time. An appropriate response would be a reference to the Reel/Frame numbers signed by an individual whose authority to sign on behalf of assignee has been properly established pursuant to (A), (B) or (C) above.

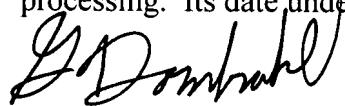
Inspection of the declaration documents submitted on 05 March 2007 and 19 March 2007 reveals that, taken together, they satisfy the requirements of 37 CFR 1.497(a) and (b).

Counsel now presents a "Statement Under 37 CFR 3.73(b)" identifying the reel and frame numbers where the appropriate assignment is recorded in the USPTO. This "Statement..." is signed on behalf of Immersion Corporation by Laura A. Peter, who is stated to be "authorized to act on behalf of the assignee." In view of the totality of the evidence now presented, it would be appropriate to accept the declaration under 37 CFR 1.497(d).

CONCLUSION

The declaration is **ACCEPTED** under 37 CFR 1.497(d), without prejudice.

This application is being returned to the National Stage Processing Branch for further processing. Its date under 35 U.S.C. 371(c)(1), (2) and (4) is **19 March 2007**.



George Dombroske
PCT Legal Examiner
Office of PCT Legal Administration
Tel: (571) 272-3283
Fax: (571) 273-0459